

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (Includes Reference to PCT International Applications)			ATTORNEY DOCKET NUMBER 0973/1B889-US1
<p>As a below named inventor, I hereby declare that:</p> <p>My residence, post office address and citizenship are as stated below next to my name.</p> <p>I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed for and which a patent is sought on the invention entitled:</p> <p style="text-align: center;"><u>LIGHT CONTROLLED ELECTROKINETIC ASSEMBLY OF PARTICLES NEAR SURFACES</u></p> <p>the specification of which (check only one item below):</p> <p>is attached hereto.</p> <p>[] was filed as United States provisional application</p> <p>Serial No. _____ on _____</p> <p>and was amended</p> <p>on _____ (if applicable).</p> <p>[X] was filed as PCT international application</p> <p>Number <u>PCT/US97/08159</u> on <u>24 April 1997</u></p> <p>and was amended under PCT Article 19</p> <p>on _____ (if applicable).</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.</p> <p>I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).</p> <p>I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:</p>			
PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:			
COUNTRY (If PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
US	60/016,642	25 April 1996	[X] YES [] NO
			[] YES [] NO
			[] YES [] NO
			[] YES [] NO
			[] YES [] NO

Combined Declaration for Patent Application and Power of Attorney (Continued) (Includes Reference to PCT International Applications)					ATTY'S DOCKET NUMBER 0973/2B889
<p>I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:</p>					
PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:					
U.S APPLICATIONS			STATUS (Check one)		
U.S APPLICATION NUMBER		U.S. FILING DATE	PATENTED	PENDING	ABANDONED
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NO.		PCT FILING DATE	U.S SERIAL NUMBER ASSIGNED (if any)		
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Morris Relson #15,108, Gordon D. Coplein #19,165, William F. Dudine, Jr. #20,569, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Beverly B. Goodwin #28,417, Adda C. Gogoris #29,714, Martin E. Goldstein #20,869, Bert J. Lewen 19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, David R. Francescani #25,159, Robert C. Sullivan, Jr. #30,499, and Joseph R. Robinson #33,448					
Send Correspondence to:		Pierre R. Yanney DARBY & DARBY P.C. 805 Third Avenue New York, New York 10022-7513		Direct Telephone Calls to: (name and telephone number) (212) 527-7700 Pierre R. Yanney	
2	FULL NAME OF INVENTOR	FAMILY NAME SEUL		FIRST GIVEN NAME Michael	
0	RESIDENCE & CITIZENSHIP	CITY Fanwood		STATE OR FOREIGN COUNTRY New Jersey	
1	POST OFFICE ADDRESS	84 Pleasant Avenue		CITY Fanwood	
2	FULL NAME OF INVENTOR	FAMILY NAME		FIRST GIVEN NAME	
0	RESIDENCE & CITIZENSHIP	CITY		STATE OR FOREIGN COUNTRY	
2	POST OFFICE ADDRESS	84 Pleasant Avenue		CITY	
2	FULL NAME OF INVENTOR	FAMILY NAME		FIRST GIVEN NAME	
0	RESIDENCE & CITIZENSHIP	CITY		STATE OR FOREIGN COUNTRY	
3	POST OFFICE ADDRESS	84 Pleasant Avenue		CITY	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.</p>					
SIGNATURE OF INVENTOR 101		SIGNATURE OF INVENTOR 202		SIGNATURE OF INVENTOR 203	
					
DATE 10-9-20		DATE		DATE	

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(d) AND 1.27 (c)) - SMALL BUSINESS CONCERNDocket No.
464.1006Serial No.
09/171,550Filing Date
October 26, 1998

Patent No.

Issue Date

Applicant/ Michael SEUL
Patentee:Invention: **LIGHT-CONTROLLED ELECTROKINETIC ASSEMBLY OF PARTICLES NEAR SURFACES**

I hereby declare that I am:

- the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: BioArray Solutions, LLCADDRESS OF CONCERN: 120 Centennial Avenue, Piscataway, NJ 08854

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(e) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

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11/20/00

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- no such person, concern or organization exists.
 each such person, concern or organization is listed below.

FULL NAME _____

ADDRESS _____

 Individual Small Business Concern Nonprofit Organization

FULL NAME _____

ADDRESS _____

 Individual Small Business Concern Nonprofit Organization

FULL NAME _____

ADDRESS _____

 Individual Small Business Concern Nonprofit Organization

FULL NAME _____

ADDRESS _____

 Individual Small Business Concern Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averting to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: _____

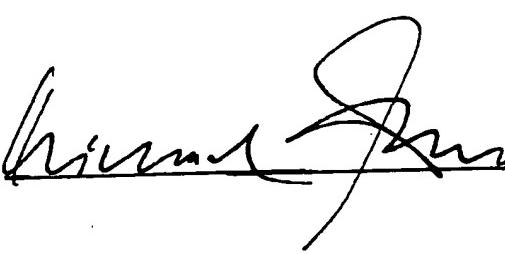
Michael Seul, President & CEO, BioArray Solutions, LLC

TITLE OF PERSON SIGNING

OTHER THAN OWNER:

120 Centennial Avenue, Piscataway, NJ 08854

ADDRESS OF PERSON SIGNING:

SIGNATURE: 

DATE: 7-7-2000